Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

Act 492 of the Regular Session

| 1 | State of Arkansas | As Engrossed: S2 | 1 | |
|----|----------------------------|-------------------------|-----------------|---------------------|
| 2 | 85th General Assembly | A B ₁ J | .1 | |
| 3 | Regular Session, 2005 | | | SENATE BILL 53 |
| 4 | | | | |
| 5 | By: Joint Budget Committee | ee | | |
| 6 | | | | |
| 7 | | | | |
| 8 | | For An Act To B | e Entitled | |
| 9 | AN ACT | TO MAKE AN APPROPRIAT | ION TO PAY APPR | OVED |
| 10 | CLAIMS | AGAINST THE STATE FOR | THE ARKANSAS S | STATE |
| 11 | CLAIMS | COMMISSION FOR THE FI | SCAL YEAR ENDIN | IG JUNE |
| 12 | 30, 20 | 05; AND FOR OTHER PURP | OSES. | |
| 13 | | | | |
| 14 | | | | |
| 15 | | Subtitle | 2 | |
| 16 | AN . | ACT FOR THE ARKANSAS S | TATE CLAIMS | |
| 17 | COM | MISSION - APPROVED CLA | IMS | |
| 18 | APP | ROPRIATION FOR THE 200 | 5 FISCAL YEAR. | |
| 19 | | | | |
| 20 | | | | |
| 21 | BE IT ENACTED BY THE | GENERAL ASSEMBLY OF T | HE STATE OF ARK | ANSAS: |
| 22 | | | | |
| 23 | SECTION 1. APPROPE | RIATION - DEPARTMENT OF | F FINANCE AND A | DMNISTRATION - |
| 24 | REVENUE DIVISION. The | ere is hereby appropria | ated, to the De | partment of Finance |
| 25 | and Administration - | Revenue Services Divis | sion, to be pay | able from the |
| 26 | Miscellaneous Revolvi | ing Fund, for the purp | ose of paying c | laims against the |
| 27 | State of Arkansas to | the payee set out here | ein: | |
| 28 | | | | |
| 29 | ITEM | | FISCAL YEA | R |
| 30 | NO. | | 2004-200 | <u>5</u> |
| 31 | (01) CUMMINS MID SOU | JTH, INC. | \$ 11,150.3 | 3 |
| 32 | (02) NUCOR STEEL | | 19,080.0 | 0 |
| 33 | (03) SYMBOL TECHNOLO | OGIES | 12,735.4 | 2 |
| 34 | (04) PREMIER GRAPHIC | CS | 15,029.9 | <u>5</u> |
| 35 | TOTAL AMOUNT API | PROPRIATED | \$ 57,995.7 | <u>0</u> |



| 1 | | | |
|----|---|------------------------------------|--|
| 2 | SECTION 2. APPROPRIATION - DEPARTMENT O | F FINANCE AND ADMINISTRATION - | |
| 3 | REVENUE DIVISION. There is hereby appropri | ated, to the Department of Finance | |
| 4 | and Administration - Revenue Services Divi | sion, to be payable from the | |
| 5 | Corporate Income Tax Withholding Fund, for | paying claims against the State of | |
| 6 | Arkansas to the payee set out herein: | | |
| 7 | | | |
| 8 | ITEM | FISCAL YEAR | |
| 9 | NO. | 2004-2005 | |
| 10 | (01) THE ANPRO COMPANY | \$ 65,460 | |
| 11 | (02) AVON PRODUCTS, INC. | 24,000 | |
| 12 | TOTAL AMOUNT APPROPRIATED | <u>\$ 89,460</u> | |
| 13 | | | |
| 14 | SECTION 3. APPROPRIATION - DEPARTMENT O | F FINANCE AND ADMINISTRATION - | |
| 15 | REVENUE DIVISION. There is hereby appropri | ated, to the Department of Finance | |
| 16 | and Administration - Revenue Services Divi | sion, to be payable from the | |
| 17 | Individual Income Tax Withholding Fund, fo | r the purpose of paying claims | |
| 18 | against the State of Arkansas to the payee | set out herein: | |
| 19 | | | |
| 20 | ITEM | FISCAL YEAR | |
| 21 | _NO. | 2004-2005 | |
| 22 | (01) WILLIAM K. GAYDEN | \$ 19,556.29 | |
| 23 | (02) JERRY C. AND BECKY CLARK | 12,478.00 | |
| 24 | (03) KENNETH MURTON | 12,240.00 | |
| 25 | (04) TODD AND DAWN SIMPSON | 23,394.42 | |
| 26 | TOTAL AMOUNT APPROPRIATED | \$ 67,668.71 | |
| 27 | | | |
| 28 | SECTION 4. APPROPRIATION - DEPARTMENT O | F HUMAN SERVICES - DIVISION OF | |
| 29 | CHILDREN AND FAMILY SERVICES. There is hereby appropriated, to the Department | | |
| 30 | of Human Services - Division of Children and Family Services, to be payable | | |
| 31 | from the paying account as determined by the Chief Fiscal Officer of the | | |
| 32 | State, for the purpose of paying claims against the State of Arkansas to the | | |
| 33 | payee set out herein: | | |
| 34 | | | |
| 35 | ITEM | FISCAL YEAR | |
| | | 11001111 111111 | |

| 1 | (01) STEVE AND SHERRY WILSON | \$ 23,800 |
|----|---|-------------------------------------|
| 2 | (02) UNIVERSITY OF ARKANSAS FOR MEDICAL | |
| 3 | SCIENCES | 25,203.51 |
| 4 | (03) HOUSLEY COUNSELING SERVICES, INC. | 17,722.32 |
| 5 | TOTAL AMOUNT APPROPRIATED | \$ 66,725.83 |
| 6 | | |
| 7 | SECTION 5. APPROPRIATION - DEPARTMENT OF | F HUMAN SERVICES - DIVISION OF |
| 8 | CHILDREN AND FAMILY SERVICES. There is here | eby appropriated, to the Department |
| 9 | of Human Services - Division of Children an | nd Family Services, to be payable |
| 10 | from the Children and Family Services Fund | Account, for the purpose of paying |
| 11 | claims against the State of Arkansas to the | e payee set out herein: |
| 12 | | |
| 13 | ITEM | FISCAL YEAR |
| 14 | NO. | 2004-2005 |
| 15 | (01) THE ESTATE OF AUSTIN SMITH, CHRISTY | |
| 16 | ANDERSON, ALLEN SMITH, DESTINY SMITH | , |
| 17 | JUDY BUSSELL AND TERESA HAYDEN | \$ 225 , 000 |
| 18 | | |
| 19 | SECTION 6. APPROPRIATION - DEPARTMENT OF | F FINANCE AND ADMINISTRATION - |
| 20 | OFFICE OF CHILD SUPPORT ENFORCEMENT. There | is hereby appropriated, to the |
| 21 | Department of Finance and Administration - | Office of Child Support |
| 22 | Enforcement, to be payable from the Child S | Support Enforcement Fund, for the |
| 23 | purpose of paying claims against the State | of Arkansas to the payee set out |
| 24 | herein: | |
| 25 | | |
| 26 | ITEM | FISCAL YEAR |
| 27 | NO. | 2004-2005 |
| 28 | (01) KEITH COGSWELL, III | \$ 331,555.14 |
| 29 | (02) ORCHID GENESCREEN | 13,713.45 |
| 30 | TOTAL AMOUNT APPROPRIATED | \$ 345,268.59 |
| 31 | | |
| 32 | SECTION 7. APPROPRIATION - DEPARTMENT OF | F HUMAN SERVICES - DIVISION OF |
| 33 | DEVELOPMENTAL DISABILITIES. There is hereby | y appropriated, to the Department |
| 34 | of Human Services - Division of Development | tal Disabilities Services, to be |
| 35 | payable from the paying account as determin | ned by the Chief Fiscal Officer of |
| 36 | .1 0 6 .1 | s against the State of Arkansas to |

| 1 | the payee set out herein: | | |
|----|--|--|--|
| 2 | one payer our our necessit | | |
| 3 | ITEM | FISCAL YEAR | |
| 4 | NO. | 2004-2005 | |
| 5 | (01) TYRONDA A. TILLMAN | \$ 922.60 | |
| 6 | | | |
| 7 | SECTION 8. APPROPRIATION - DEPARTMEN | T OF HUMAN SERVICES - DIVISION OF | |
| 8 | YOUTH SERVICES. There is hereby appropr | iated, to the Department of Human | |
| 9 | Services - Division of Youth Services, | to be payable from the paying account | |
| 10 | as determined by the Chief Fiscal Offic | er of the State, for the purpose of | |
| 11 | paying claims against the State of Arka | nsas to the payee set out herein: | |
| 12 | | | |
| 13 | ITEM | FISCAL YEAR | |
| 14 | NO. | 2004-2005 | |
| 15 | (01) JOHNSON & CHISM ARCHITECTS, P.A. | <u>\$ 38,066.39</u> | |
| 16 | | | |
| 17 | SECTION 9. APPROPRIATION - DEPARTMEN | T OF HUMAN SERVICES - DIVISION OF | |
| 18 | YOUTH SERVICES. There is hereby appropr | iated, to the Department of Human | |
| 19 | Services - Division of Youth Services, | to be payable from the Youth Services | |
| 20 | Fund Account, for the purpose of paying claims against the State of Arkansas | | |
| 21 | to the payee set out herein: | | |
| 22 | | | |
| 23 | ITEM | FISCAL YEAR | |
| 24 | NO. | 2004-2005 | |
| 25 | (01) MILCREEK OF ARKANSAS | \$ 50,550 | |
| 26 | | | |
| 27 | SECTION 10. APPROPRIATION - DEPARTME | NT OF HUMAN SERVICES - DIVISION OF | |
| 28 | CHILDCARE AND EARLY CHILDHOOD EDUCATION | . There is hereby appropriated, to the | |
| 29 | Department of Human Services - Division | of Child Care and Early Childhood | |
| 30 | Education, to be payable from the paying account as determined by the Chief | | |
| 31 | Fiscal Officer of the State, for the pu | rpose of paying claims against the | |
| 32 | State of Arkansas to the payee set out | herein: | |
| 33 | | | |
| 34 | ITEM | FISCAL YEAR | |
| 35 | NO. | 2004-200 <u>5</u> | |
| 36 | (01) UNIVERSITY OF ARKANSAS FOR MEDICA | L | |

| 1 | SCIENCES | <u>\$ 11,027</u> | |
|----|---|--|--|
| 2 | | | |
| 3 | SECTION 11. APPROPRIATION - DEF | PARTMENT OF HUMAN SERVICES - DIVISION OF | |
| 4 | BEHAVIORAL HEALTH SERVICES. There | is hereby appropriated, to the Department | |
| 5 | of Human Services - Division of Be | havioral Health, to be payable from the | |
| 6 | paying account as determined by the | ne Chief Fiscal Officer of the State, for | |
| 7 | the purpose of paying claims again | ast the State of Arkansas to the payee set | |
| 8 | out herein: | | |
| 9 | | | |
| 10 | ITEM | FISCAL YEAR | |
| 11 | NO. | 2004-2005 | |
| 12 | (01) MELEAH CARTER, AS ADMINISTRA | TRIX OF | |
| 13 | THE ESTATE OF MARTHA L. WILI | IS, | |
| 14 | DECEASED | <u>\$ 25,000</u> | |
| 15 | | | |
| 16 | SECTION 12. APPROPRIATIONS - UN | IVERSITY OF ARKANSAS FOR MEDICAL SCIENCES. | |
| 17 | There is hereby appropriated, to t | he University of Arkansas for Medical | |
| 18 | Sciences, to be payable from cash funds as defined by Arkansas Code 19-4-80 | | |
| 19 | for the purpose of paying claims against the State of Arkansas to the payee | | |
| 20 | set out herein: | | |
| 21 | | | |
| 22 | ITEM | FISCAL YEAR | |
| 23 | NO. | 2004-2005 | |
| 24 | (01) TINA FRANKLIN AND ROY CLINE, | JR., | |
| 25 | INDIVIDUALLY AND AS PARENTS | OF MICHAEL | |
| 26 | JAMES CLINE, MINOR | \$ 75,000 | |
| 27 | (02) AMERICAN GENERAL ANNUITY SER | RVICES | |
| 28 | CORPORATION | <u>75,000</u> | |
| 29 | TOTAL AMOUNT APPROPRIATED | <u>\$150,000</u> | |
| 30 | | | |
| 31 | SECTION 13. APPROPRIATION - UNI | VERSITY OF ARKANSAS - PINE BLUFF. There is | |
| 32 | hereby appropriated, to the Univer | sity of Arkansas at Pine Bluff, to be | |
| 33 | payable from the University of Ark | cansas at Pine Bluff Fund, for the purpose | |
| 34 | of paying claims against the State | e of Arkansas to the payee set out herein: | |
| 35 | | | |
| 36 | ITEM | FISCAL YEAR | |

| 1 | NO. | 2004-2005 | |
|----|---|------------------------------------|--|
| 2 | (01) WHALEY CONSTRUCTION, INC. | \$ 35,232.18 | |
| 3 | | | |
| 4 | SECTION 14. APPROPRIATION - ARKANSAS HI | GHWAY AND TRANSPORTATION | |
| 5 | DEPARTMENT. There is hereby appropriated, | to the Arkansas State Highway and | |
| 6 | Transportation Department, to be payable f | rom the State Highway and | |
| 7 | Transportation Department Fund, for the pu | rpose of paying claims against the | |
| 8 | State of Arkansas to the payee set out her | ein: | |
| 9 | | | |
| 10 | ITEM | FISCAL YEAR | |
| 11 | NO. | 2004-2005 | |
| 12 | (01) DAN RAINBOLT | \$ 20,000 | |
| 13 | (02) KENNETH BEARDEN | 30,000 | |
| 14 | TOTAL AMOUNT APPROPRIATED | <u>\$ 50,000</u> | |
| 15 | | | |
| 16 | SECTION 15. APPROPRIATION - ARKANSAS DE | PARTMENT OF CORRECTION. There is | |
| 17 | hereby appropriated, to the Department of | Correction, to be payable from the | |
| 18 | Department of Correction Inmate Care and Custody Fund Account, for the | | |
| 19 | purpose of paying claims against the State of Arkansas to the payee set out | | |
| 20 | herein: | | |
| 21 | | | |
| 22 | ITEM | FISCAL YEAR | |
| 23 | NO. | 2004-2005 | |
| 24 | (01) CORY WILLIAMSON | \$ 15,000 | |
| 25 | (02) REX ARCHER | 120,000 | |
| 26 | TOTAL AMOUNT APPROPRIATED | <u>\$ 135,000</u> | |
| 27 | | | |
| 28 | SECTION 16. APPROPRIATION - ARKANSAS ST. | • | |
| 29 | appropriated, to the Department of Arkansa | | |
| 30 | the Department of Arkansas State Police Fu | | |
| 31 | claims against the State of Arkansas to th | e payee set out herein: | |
| 32 | TMDV | DIGGAL WHAD | |
| 33 | ITEM | FISCAL YEAR | |
| 34 | NO. | 2004-2005 \$ 750,000 | |
| 35 | (01) JUDY WEBB | \$ 750,000 | |
| 36 | (O2) AUBREY WEBB | 250,000 | |

| 1 | TOTAL AMOUNT APPROPRIATED | <u>\$ 1,000,000</u> |
|----|---|--|
| 2 | | |
| 3 | SECTION 17. APPROPRIATION - TWENTY-S | SECOND DECENNIAL CENSUS - PAYMENT TO |
| 4 | THE CITY OF CHIDESTER, ARKANSAS. There | is hereby appropriated, to the Office |
| 5 | of the Treasurer of State, to be payabl | e from the Municipal Aid Fund, for the |
| 6 | purpose of paying claims against the St | ate of Arkansas to the payee set out |
| 7 | herein: | |
| 8 | | |
| 9 | ITEM | FISCAL YEAR |
| 10 | NO. | 2004-2005 |
| 11 | (01) CITY OF CHIDESTER, ARKANSAS - GEN | IERAL |
| 12 | REVENUE | \$ 822.38 |
| 13 | (02) CITY OF CHIDESTER, ARKANSAS - SPE | CCIAL |
| 14 | REVENUE | 2,297.38 |
| 15 | TOTAL AMOUNT APPROPRIATED | <u>\$ 3,119.76</u> |
| 16 | | |
| 17 | SECTION 18. APPROPRIATION - TWENTY-S | SECOND DECENNIAL CENSUS - PAYMENT TO |
| 18 | THE CITY OF MAGNET COVE, ARKANSAS. Then | e is hereby appropriated, to the |
| 19 | Office of the Treasurer of State, to be | e payable from the Municipal Aid Fund, |
| 20 | for the purpose of paying claims agains | et the State of Arkansas to the payee |
| 21 | set out herein: | |
| 22 | | |
| 23 | ITEM | FISCAL YEAR |
| 24 | NO. | 2004-2005 |
| 25 | (01) CITY OF MAGNET COVE, ARKANSAS - | |
| 26 | GENERAL REVENUE | \$ 8,360.02 |
| 27 | (02) CITY OF MAGNET COVE, ARKANSAS - | |
| 28 | SPECIAL REVENUE | 23,329.55 |
| 29 | TOTAL AMOUNT APPROPRIATED | <u>\$ 31,689.57</u> |
| 30 | | |
| 31 | SECTION 19. APPROPRIATION - TWENTY-S | SECOND DECENNIAL CENSUS - PAYMENT TO |
| 32 | THE CITY OF HARDY, ARKANSAS. There is h | ereby appropriated, to the Office of |
| 33 | the Treasurer of State, to be payable f | from the Municipal Aid Fund, for the |
| 34 | purpose of paying claims against the St | ate of Arkansas to the payee set out |
| 35 | herein: | |

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| 1 | ITEM | FISCAL YEAR |
|----|--|-------------------------------------|
| 2 | NO. | 2004-2005 |
| 3 | (01) CITY OF HARDY, ARKANSAS - GENERAL | |
| 4 | REVENUE | \$ 8,321.85 |
| 5 | (02) CITY OF HARDY, ARKANSAS - SPECIAL | |
| 6 | REVENUE | 24,044.44 |
| 7 | TOTAL AMOUNT APPROPRIATED | <u>\$ 32,366.29</u> |
| 8 | | |
| 9 | SECTION 20. APPROPRIATION - TWENTY-SECO | ND DECENNIAL CENSUS - PAYMENT TO |
| 10 | THE CITY OF MIDWAY, ARKANSAS. There is her | eby appropriated, to the Office of |
| 11 | the Treasurer of State, to be payable from | the Municipal Aid Fund, for the |
| 12 | purpose of paying claims against the State | of Arkansas to the payee set out |
| 13 | herein: | |
| 14 | | |
| 15 | ITEM | FISCAL YEAR |
| 16 | NO. | 2004-2005 |
| 17 | (01) CITY OF MIDWAY, ARKANSAS - GENERAL | |
| 18 | REVENUE | \$ 10,673.56 |
| 19 | (02) CITY OF MIDWAY, ARKANSAS - SPECIAL | |
| 20 | REVENUE | 30,016.52 |
| 21 | TOTAL AMOUNT APPROPRIATED | \$ 40,690.08 |
| 22 | | |
| 23 | SECTION 21. APPROPRIATION - TWENTY-SECO | ND DECENNIAL CENSUS - PAYMENT TO |
| 24 | THE CITY OF GLENWOOD, ARKANSAS. There is h | ereby appropriated, to the Office |
| 25 | of the Treasurer of State, to be payable f | rom the Municipal Aid Fund, for the |
| 26 | purpose of paying claims against the State | of Arkansas to the payee set out |
| 27 | herein: | |
| 28 | | |
| 29 | ITEM | FISCAL YEAR |
| 30 | NO. | 2004-2005 |
| 31 | (01) CITY OF GLENWOOD, ARKANSAS - GENERAL | |
| 32 | REVENUE | \$ 15,603.42 |
| 33 | (02) CITY OF GLENWOOD, ARKANSAS - SPECIAL | |
| 34 | REVENUE | 44,472.05 |
| 35 | TOTAL AMOUNT APPROPRIATED | \$ 60,075.47 |
| 36 | | |

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1 SECTION 22. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS 2 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRY 3 FORWARD. Any balance remaining in the appropriations authorized by this Act that remain at the end of a fiscal year shall be carried forward into the 4 5 next fiscal year there to be used for the same purpose. 6 7 SECTION 23. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS 8 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRYOVER 9 OF CLAIMS. Any state agency which is affected by the allowed claim(s) 10 provided for in this Act, and whose fund for the 2002-2003 2004-2005 fiscal 11 year are insufficient to allow for the payment of said claim(s) before June 12 30, 2003 2005, is hereby authorized, upon certification by the Chief Fiscal Officer of the State, to make payment of said claim(s) after July 1, 2003 13 14 2005, from funds appropriated for the 2003-2004 2005-2006 fiscal year. 15 16 SECTION 24. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS 17 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. DISBURSING OFFICER. The Clerk of the State Claims Commission is hereby made 18 19 the disbursing officer for the purpose of paying the claims appropriated by this Act. The Clerk of the State Claims Commission is hereby authorized to 20 21 receive all warrants prepared under the provisions of this Act from the 22 Auditor of the State and to distribute same to the claimants. 23 24 SECTION 25. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS 25 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. 26 DEPARTMENT OF HUMAN SERVICES CLAIMS. For any claims in this Act appropriated 27 to the Department of Human Services, the Clerk of the State Claims Commission 28 shall consult with the Department of Human Services and the Chief Fiscal 29 Officer of the State to determine the division and funds to which liability 30 should be assigned and from which the warrants shall be drawn. 31 the State Claims Commission shall initiate the appropriate transfers as may 32 be required and as approved by the Chief Fiscal Officer of the State. 33 SECTION 26. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS 34 35 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CLAIMS 36 FROM CASH FUNDS. In the event that any claim authorized herein is determined

1 to be a valid claim against the State and the claim is to be paid from funds 2 not in the State Treasury, the Clerk of the State Claims Commission shall 3 notify the agency against which the claim is to be charged of the amount of 4 such claims. Upon receipt of such notification, the state agency shall 5 forthwith deliver a check to the Clerk of the State Claims Commission who 6 shall deposit the same as a non-revenue receipt into the Miscellaneous 7 Revolving Fund from which he shall disburse the amount of the claim to the 8 claimant. 9 10 SECTION 27. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS 11 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. EMPLOYMENT COMPENSATION CLAIMS. The Clerk of the State Claims Commission 12 shall not distribute any warrants prepared under the provisions of this Act 13 14 for awards made by the Arkansas State Claims Commission for employment 15 compensation claims. Upon the award by the State Claims Commission of an 16 employment compensation claim, the Clerk of the State Claims Commission shall 17 notify the affected state agency and the Department of Finance and Administration - Office of Personnel Management of such amounts that are due 18 19 and payable. The affected state agency shall then process the award through the State Mechanized Payroll System. 20 21 22 SECTION 28. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CLAIMS 23 24 AWARD REPORTING. It is the intent of the General Assembly that when any state 25 agency, board, commission or institution of higher education admits liability 26 to a claim filed with the State Claims Commission and the claim involves a 27 contract with a state agency, board, commission or institution of higher 28 education or the claim exceeds ten thousand dollars (\$10,000) that such 29 agency, board, commission or institution of higher education file a written 30 report thereof to the Litigation Subcommittee of the Legislative Council. Such a report shall include a concise statement of facts with an explanation 31 of the agency's liability. Provided further, such report shall be filed with 32 33 the Litigation Subcommittee within thirty (30) days after the claim has been

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SECTION 29. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS

adjudicated by the State Claims Commission.

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1 CODE, NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. PURCHASE OF ANNUITY. Of the funds appropriated in Section 12, Item (02) shall be for 2 the sole purpose of purchasing an annuity for the benefit of Michael James 3 Cline, minor child of Tina Franklin and Roy Cline, Jr. who filed a claim 4 5 against the University of Arkansas - Medical Sciences with the Arkansas State 6 Claims Commission in 1998. The claim was settled without admission of 7 liability from the University of Arkansas - Medical Sciences. The University 8 of Arkansas - Medical Sciences agreed to pay, and Tina and Roy Franklin, Jr. agreed to accept, a total settlement in the amount of one hundred fifty 9 thousand dollars (\$150,000). The University of Arkansas - Medical Sciences, 10 11 Tina Franklin and Roy Cline, Jr. agreed that it is in the best interest of 12 Michael James Cline for seventy-five thousand dollars (\$75,000) of the agreed settlement to be expended on the purchase of an annuity for Michael James 13 Cline. The Clerk of the Arkansas State Claim Commission, the Chief Fiscal 14 15 Officer of the State and the Auditor of State shall effectuate the issuance 16 of a warrant to American General Annuity Services Corporation in the amount 17 of seventy-five thousand dollars (\$75,000), along with payment of seventyfive thousand dollars (\$75,000) to Tina Franklin and Roy Cline, Jr., as 18 parents and guardians of Michael James Cline, a minor. 19 20 21 SECTION 30. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized 22 by this act shall be limited to the appropriation for such agency and funds 23 made available by law for the support of such appropriations; and the 24 restrictions of the State Procurement Law, the General Accounting and 25 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary 26 Procedures and Restrictions Act, or their successors, and other fiscal 27 control laws of this State, where applicable, and regulations promulgated by 28 the Department of Finance and Administration, as authorized by law, shall be 29 strictly complied with in disbursement of said funds. 30 SECTION 31. LEGISLATIVE INTENT. It is the intent of the General Assembly 31 32 that any funds disbursed under the authority of the appropriations contained 33 in this act shall be in compliance with the stated reasons for which this act 34 was adopted, as evidenced by the Agency Requests, Executive Recommendations

and Legislative Recommendations contained in the budget manuals prepared by the Department of Finance and Administration, letters, or summarized oral

| 1 | testimony in the official minutes of the Arkansas Legislative Council or | | |
|----|---|--|--|
| 2 | Joint Budget Committee which relate to its passage and adoption. | | |
| 3 | | | |
| 4 | SECTION 32. EMERGENCY CLAUSE. It is found and determined by the General | | |
| 5 | Assembly, that the Constitution of the State of Arkansas prohibits the | | |
| 6 | appropriation of funds for more than a two (2) year period; that the | | |
| 7 | effectiveness of this Act on the date of its passage and approval is | | |
| 8 | essential to the operation of the agency for which the appropriations in this | | |
| 9 | Act are provided, and that in the event of an extension of the Regular | | |
| 10 | Session, the delay in the effective date of this Act beyond the date of its | | |
| 11 | passage and approval could work irreparable harm upon the proper | | |
| 12 | administration and provision of essential governmental programs. Therefore, | | |
| 13 | an emergency is hereby declared to exist and this Act being necessary for the | | |
| 14 | immediate preservation of the public peace, health and safety shall be in | | |
| 15 | full force and effect from and after the date of its passage and approval. | | |
| 16 | If the bill is neither approved nor vetoed by the Governor, it shall become | | |
| 17 | effective on the expiration of the period of time during which the Governor | | |
| 18 | may veto the bill. If the bill is vetoed by the Governor and the veto is | | |
| 19 | overridden, it shall become effective on the date the last house overrides | | |
| 20 | the veto. | | |
| 21 | | | |
| 22 | /s/ Joint Budget Committee | | |
| 23 | | | |
| 24 | | | |
| 25 | APPROVED: 3/02/2005 | | |
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